

United States District Court, Eastern District of Washington
Magistrate Judge Alexander C. Ekstrom
Yakima

USA v. ZEBULION IAN LISTER

Case No. 1:22-CR-2006-MKD-1

**Arraignment/Initial Appearance and Detention Hearing
on Indictment:**

02/27/2023

- | | |
|---|---|
| <input checked="" type="checkbox"/> Pam Howard, Courtroom Deputy [video] | <input checked="" type="checkbox"/> Todd Swensen, US Atty |
| <input checked="" type="checkbox"/> Tonia Ramirez, Courtroom Deputy [Y] | <input checked="" type="checkbox"/> Nick Mirr, Defense Atty |
| <input checked="" type="checkbox"/> Erica Helms, US Probation / Pretrial Services Officer | <input checked="" type="checkbox"/> Interpreter NOT REQUIRED |
| <input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM
<input type="checkbox"/> out of custody | <input type="checkbox"/> Defendant not present / failed to appear |

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- | | |
|--|---|
| <input checked="" type="checkbox"/> USA Motion for Detention | <input checked="" type="checkbox"/> Rights given |
| <input type="checkbox"/> USA not seeking detention | <input checked="" type="checkbox"/> Acknowledgment of Rights filed |
| <input checked="" type="checkbox"/> Financial Affidavit (CJA 23) filed | <input checked="" type="checkbox"/> Defendant received copy of charging document |
| <input checked="" type="checkbox"/> The Court will appoint the Federal Defenders | <input checked="" type="checkbox"/> Defendant waived reading of charging document |
| <input type="checkbox"/> Based upon conflict with Federal Defenders, the Court will appoint a CJA Panel Attorney | <input type="checkbox"/> Charging document read in open court |
| <input type="checkbox"/> PRE-Trial Services Report ordered | <input type="checkbox"/> POST Pre-Trial Services Report ordered |
| <input type="checkbox"/> AO Advice of Penalties/Sanctions filed | |

REMARKS

The Defendant appeared and acknowledged to the Court that their true and correct name is:
ZEBULION IAN LISTER.

Defendant was assisted by counsel and advised of their rights and the allegations contained in the charging document.

“Not guilty” plea entered.

Discovery to be provided pursuant to the local rule on discovery.

DETENTION HEARING:

USA argues there are no combination of conditions to ensure the appearance of Defendant or the safety of community and would proffer the pretrial services bail report.

USA proffers the allegations that led to this charge and that Defendant repeatedly obtains firearms. USA argues Defendant has numerous failures to appear or comply. USA has objections to the proposed residences.

Defense argues Defendant’s criminal history is mostly driving and theft cases and does not see any assault convictions.

Court colloquy with Defense regarding Defendant’s history.

Defense proposes GPS home detention and his mother and step-father are present and indicate he can reside with him. Defense advised Geno Lister is no longer residing there.

Court colloquy with the parties regarding the arrest date and offense date of a prior charge.

The Court ordered:

1. USA's Motion for Detention is granted. There are no combination of conditions to ensure the safety of the community.
2. Defendant shall be detained by the U. S. Marshal until further order of the Court.
3. As required by Rule 5(f), the United States is ordered to produce all information required by *Brady v. Maryland* and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges, and contempt proceedings. Order forthcoming.